

Minutes for Town of North Smithfield Planning Board

Kendall Dean School, 83 Green Street

Thursday, June 16, 2016

The Chair called the meeting to order at 7:05 pm.

1. Roll Call: Present: Dean Naylor, Lucien Benoit, Michael Fournier, David Punchak and Scott Lentz. Dinna Finnegan and Gary Palardy were absent. Also in attendance were Town Planner Robert Ericson, Assistant Town Planner/GIS Analyst Bobbi Moneghan and Town Solicitor David Igliozi.

2. Disclosure: There were no disclosures.

3. Minutes: There were no minutes to review.

4. Development Plan Review: Cumberland Farms. This includes a continued voluntary Public Hearing.

Applicant: Cumberland Farms, Inc. Location: 901 Victory Highway.

Assessor's Plat 1, Lots 52 and 265. Zoning: BN (Neighborhood Business)

The following people were present representing the applicant:

Zenon Lankowsky, Attorney with Locke Lord

Eric Prive, PE, DiPrete Engineering

Philip Viveiros, PE, McMahon Transportation Engineers and Planners

Richard Lauder, Regional Sales Manager, Cumberland Farms

David Valente, Area Sales Manager, Cumberland Farms

This is a continuation of a voluntary public hearing that began on February 4, 2016. Mr. Lankowsky explained that because of the acquisition of an additional lot for the Cumberland Farms project, the plans were reworked and the applicant is ready to proceed with the new design. He gave a history of the Cumberland Farms, approved for a special use permit by the Zoning Board in 1991. He explained that the applicant was contacted by a representative of an abutting resident, on Plat 1 Lot 265, about the possibility of selling their property to Cumberland Farms. Cumberland Farms agreed to purchase the lot subject to acquiring the appropriate approvals and the merger of lots 52 and 265 by administrative subdivision.

Mr. Lankowsky gave a description of the revised plans. The plans included the new lot being a combination of lot 52 and lot 265, eight (8) pumping stations, a new 4,738 square-foot building, parking, drainage, sidewalks and landscaping.

Ms. Finnegan arrived at 7:12 PM.

Mr. Lankowsky said the new design by DiPrete Engineering includes state-of-the-art environmental monitoring, inspection, and record keeping, double-walled fiberglass underground tank storage and emergency response program as well as mandatory operator training.

The records will be made available to the Town. He stated that these features address concerns recorded by the ZBR in 1991 and 2001.

Mr. Prive, PE from DiPrete Engineering presented the plan details. He began with a description of the site located at the corner of Victory Highway and North Main Street with Ferrier Street on the west side. He said the site currently has a 2,800 square-foot building on 1.7 acres with parking along the outside of the lot and three curb cuts. The area is serviced by a public well and public sanitary sewer. The underground storage tanks are central on the lot and there are four (4) fuel dispensers that create vehicle turning issues. Mr. Prive went on to describe the new plan. He explained that after the acquisition of Lot 265, a new 4,738 square-foot convenience store building will be built located toward the back portion of the property. Circulation will utilize the existing three curb cuts. He said there will be eight (8) canopy-covered gas dispensers pushed back a bit allowing for less traffic conflict. The parking will be directly adjacent to the building.

He went on to say there will be no increase in the impervious surface with part of the area being pervious. He said there is no stormwater treatment today and the proposed stormwater system will meet RIDEM Best Management Practices requirements and be directed toward the front, where there will be treatment and recharge. The canopy will be built to direct water into a new infiltration structure.

Mr. Prive told the Board that the water will be tied into the public

water system, and the old well will be used for irrigation for landscaping. Mr. Prive stated the stormwater plan has been approved, and Cumberland Farms has received its RI Pollutant Discharge Elimination System (RIDES) permit.

There will be an opaque dumpster enclosure on the west side of the lot. All light will be LED, angled into the property and dark-sky compliant. Landscaping along the street will include street trees along each street and a comprehensive, robust evergreen planting will be on the northern boundary with abutters.

Mr. Prive said the two (2) underground storage tanks (20,000 gallon) have been reviewed and approved by RIDEM following the underground storage regulations.

Mr. Fournier asked if there was an existing sewer and well on the lot being acquired. Mr. Prive stated if there is a well or sewer it will be capped. He said if there is a septic system, it will be removed and disposed of.

Dr. Benoit said that there are two (2) handicapped parking spaces presently at the site but the engineering documents state there are no handicapped spaces. He also requested to revisit the topic of outdoor seating and believes that with new interest in the National Park and RIPTA buses having the ability to carry bikes, he would like to see bike racks, tables and benches.

Dr. Benoit asked if this site is over an aquifer and Mr. Prive answered affirmatively, stating that DEM approval has been acquired. Dr. Benoit asked about a different type of gas storage and Mr. Prive said the double-walled fiberglass tanks with interstitial monitoring will be able to identify punctures internally and externally and automatically turn the pumps off. He stated these new kinds of tanks are well regulated and monitored.

Dr. Benoit asked if the CO2 container currently in back of the building is used for carbonated beverage machines and whether it will be there in the new design. Mr. Prive said yes.

Dr. Benoit stated that the landscape plans need to be stamped by a registered landscape architect, and Mr. Prive assured Dr. Benoit that stamped plans will be provided by DiPrete.

Ms. Finnegan asked if Mr. Prive knows about the historical significance of this town and whether there were any plans for accommodating cyclists and seating. Mr. Prive said the seating will be on the eastern side of the building. Dr. Benoit said the seating was discouraged at the original project meeting. Chairman Naylor said his concern had been about noise and the effect on the neighbors, given the operating hours. He said he believed the seating could be worked out if it were put somewhere to mitigate the noise late at night. In this case Chairman Naylor would not be opposed. Mr. Prive said there will

be significant sound buffer improvements and possibly the tree line could be extended near the seating area. Mr. Lankowsky suggested possibly limiting the access to the seating area after a certain time at night.

Ms. Finnegan asked if there is a fence existing between the site and the abutters to the north. Mr. Prive said yes, next to Lot 51. Part of the fence is on Cumberland Farms property and part on lot 51. Dr. Benoit suggested the use of a white vinyl fence.

Mr. Lentz inquired about large-truck parking in the new design. He believes there will be no parking to handle larger trucks or trucks with trailers. He said currently there are locations for large vehicle parking. Mr. Prive said the trucks will possibly park the same way they park today. Mr. Palardy said there are long spaces currently to accommodate the trucks. Mr. Lentz stated that this may limit business from anyone operating a large truck that will not be able to park, or trucks may park on Ferrier Street. He stated there may be complaints from residents on Ferrier Street.

Ms. Finnegan asked about the operating hours. Mr. Lankowsky said they will ask the ZBR for relief from stipulations made in the 1991 special use permit regarding operating hours. Mr. Lankowsky said the applicant wants the hours to be flexible to serve the community. He also stated there are no plans currently for 24 hour operation.

Mr. Palardy asked about the shaded infiltration basin. Mr. Prive said it will be grass and not intended to be a place where people will hang out, it is a depression. Mr. Palardy asked about the houses to the west and whether plantings will be used as a buffer. Mr. Prive said there is no plan to buffer along Ferrier Street and there is a grass area between that street and the new building. Mr. Palardy described how some of the grassy areas become picnic grounds to some people and asked whether the northwest corner had been considered as one of these types of areas. Mr. Prive said no. Mr. Prive explained that the seating area, as proposed is seating for twelve people. Ms. Finnegan asked if it would be possible to move the infiltration area to the back west corner of the lot and the grassy area toward the front therefore eliminating the chance of people sitting on the grass area closer to the abutters. Mr. Palardy agreed this might be a good idea. Mr. Prive said there is no reason this cannot be considered.

Chairman Naylor said the pumps appear to be moved to the east but drivers coming straight in from Victory Highway would possibly be creating congestion at the first row of pumps. Mr. Prive said there will be more space between the pumps and the driving lane entrance.

Mr. Fournier reiterated the concern about large trucks and trailers and suggested moving the infiltration area to the back of the lot. Mr. Lauder said there are a lot of landscapers that come in the morning and many of them park at the pumps and leave their cars there while shopping. He said that the new circulation design is very different

with more space for traffic. Mr. Palardy asked if this Cumberland Farms is being designed like the other local Cumberland Farms. Mr. Lauder said this design is exactly the same as the Cumberland Farms in Woonsocket on Mendon Road and would be a good example to reference.

Mr. Ericson referred to sheet one (1), the landscape plan and said that a cedar fence would be a good barrier between the site and the abutters but that it needs to be designed so that the fence goes all the way to the ground to prohibit trash from entering neighboring yards. He also said it would be possible to move the detention area but the rear north is higher elevation and would have to be graded. Mr. Ericson would like to get neighbor input concerning the barrier. He would also like to see more details about the fencing in the final plan.

Ms. Finnegan asked if the signage will be changing. Mr. DiPrive said the dimensions will be the same but designed differently.

Mr. Ericson asked about the flashing between member and nonmember price. He specified that sign changes are limited to every two (2) minutes or more. This may require dimensional relief from the ZBR for changing more frequently. Mr. Ericson finds it distracting. Mr. Prive said that currently it flashes once every 15-20 seconds.

Dr. Benoit asked that since this is not in a historic district, can the applicant use a white vinyl fence. Mr. Ericson said yes, and it should

be a 6 foot fence.

Mr. Fournier suggested the applicant ask the neighbors what type of fence they would like.

Chairman Naylor emphasized the importance of the back fence and the vegetative buffer if the applicant plans to expand the operating hours. He encouraged Cumberland Farms to be a good neighbor. He also asked that they take this into consideration when planning the seating areas.

Mr. Viveiros, from McMahon Transportation Engineers and Planners, discussed the results of the Traffic Impact Study. He said to do the study they took 2014 traffic counts and, using North Smithfield growth rates, adjusted for 2016 for existing conditions. He stated there were 19 crashes over a three year period in the area of Victory Highway and Main St, half being animal-related. He told the Board that RIDOT is planning signal updates at this intersection for this summer.

Mr. Viveiros said the McMahon traffic study took into account existing traffic volumes and took into consideration pass-by traffic. It was projected that this project will generate 15 new cars in morning peak hours and 17 new cars at evening peak hours. Mr. Viveiros spoke about the level of service analysis and the circulation plan. The template used was the standard Cumberland Farms template and site

distances were evaluated according to ASHTO standards. Mr. Viveiros stated the conclusion of the traffic study was that this project causes no significant impact on traffic.

Chairman Naylor asked about tanker truck deliveries and whether the applicant has control over when they deliver fuel. He suggested parking space 18-26 would be blocked during delivery. Mr. Lauder said the drivers try to deliver at off-peak times unless there are emergencies such as bad weather. Chair Naylor asked if there will be arrows to guide customers as to the flow of traffic. Mr. Viveiros said it could be done but that the circulation is significantly improved from the existing patterns.

Chair Naylor asked why there are three (3) entrances and if it is necessary to have an exit onto Ferrier Street. Mr. Viveiros said the third exit option aids if the other two driveways are blocked and may help avoid stacking.

Mr. Fournier asked if fuel delivery is only done during business hours. Mr. Lauder said it is up to the town but Cumberland Farms prefers to do overnight deliveries. Mr. Fournier said overnight deliveries may not be best for neighbors.

Mr. Lentz questioned Mr. Viveiros about the percentage increase in traffic. Mr. Viveiros said there will be a minimal number of new trips to the site.

Dr. Benoit asked about elevations of the buildings. Mr. Prive pointed out the building renderings with a pitched roof and asphalt shingles, a significant improvement to the building as it exists today.

Dr. Benoit asked for an approximation of the complete valuation: Mr. Lauder said Cumberland Farms would not want him to divulge this to the public. Dr. Benoit stressed the importance of economic development and the increased tax base. He said it puts people's minds at ease if there are increases in the tax base.

Mr. Ericson asked how many times a week the tanks will be refilled. Mr. Lauder said in the summer there could be deliveries once per day.

Dr. Benoit made a motion to open the public hearing at 8:12 PM. Mr. Palardy seconded with all in favor (5-0).

There were no comments from the public.

Dr. Benoit made a motion to close the public hearing at 8:13 PM. Mr. Palardy seconded with all in favor.

Mr. Lankowsky thanked the PB and asked for a positive recommendation to the ZBR.

The Board discussed the following conditions and recommendations:

- 1. Update of the special use permit from ZBR and other required permissions from ZBR.**
- 2. No building permits issued or sought until lots 52 and 265 are combined by Administrative Subdivision.**
- 3. Provide updated O & M plan for all stormwater components.**
- 4. Address in final plan the following issues:**
 - Rear fencing**
 - Large vehicle parking**
 - Relocation of detention pond**
 - Lighting spillover in rear**
 - Accommodations for bikes**
 - Traffic arrows on the site**
 - Hour of the seating area**

Chairman Naylor suggested the applicant consult with neighbors concerning the buffers between the properties.

Mr. Lankowski asked for clarification from the solicitor about the process. As he understands the process, the PB will make a recommendation to the ZBR subject to the conditions and these conditions will be part of the record. Mr. Iglioizzi agreed.

Mr. Lentz made a motion to make a determination to recommend approval to the ZBR for:

Development Plan Review: Cumberland Farms

Applicant: Cumberland Farms, Inc.

Location: 901 Victory Highway.

Assessor's Plat 1, Lots 52 and 265.

Zoning: BN (Neighborhood Business)

Plan dated May 13, 2016.

With the following conditions:

- 1. Update of the special use permit from ZBR and other required permissions from ZBR.**
- 2. No building permits issued or sought until lots 52 and 265 are combined by Administrative Subdivision.**
- 3. Provide updated O & M plan for all improvements to the site.**

Mr. Palardy seconded. Roll call vote. Yes, Mr. Finnegan, Chairman Naylor, Mr. Palardy, Dr. Benoit and Mr. Lentz. No: none.

The Board then went through the five tests:

- 1. Is the project in compliance with the NS Zoning Ordinance? Yes, it is when all conditions are met**
- 2. Is the project consistent with Comprehensive Plan? Yes, it addresses economic development with minimal impact.**
- 3. Are there any significant environmental impacts? No, they will use state-of-the-art tanks and monitoring, they are removing some impervious surface, and they are meeting RIDEM requirements.**

4. Does the subdivision create individual lots? Not applicable, no new lots created.

5. Is there access to a public street? Yes, Victory Highway, North Main Street and Ferrier Street.

Ms. Finnegan made a motion to take a 10 minute break at 8:35 PM. Dr. Benoit seconded with all in favor.

Meeting was back in session at 8:40 PM.

5. Major Subdivision pre-application meeting: Elizabeth Ave Development Phase II.

Applicant: Liz Development Group, LLC Location: Graves Ave.

Assessor's Plat 3, Lots 271 - 273, 275, 276 (recorded lots 127-131, 140-142, 145-150, 159-166, 178-180) Zoning: RU (Urban Residential)

Mr. Ericson introduced the project by telling the PB there is an issue with this development, Graves Avenue is sewerred but not paved to town standards. He said Graves Avenue is not recognized as a town street for maintenance purposes and is a dumping ground.

Chairman Naylor asked if the original plan was a phased approach. Mr. Ericson said that Elizabeth Avenue development was in Phase I and Graves Avenue in Phase II. Nicholas Goodier, the attorney representing the applicant, said this application calls for the consolidation of 25 lots with five new lots created and one lot already

improved with a single family residence. He said the site is about 3 acres in a RU zoning district. Mr. Goodier stated Phase II was approved 10 years ago (2005) and the applicant believed it was recorded but it was not. Mr. Goodier said that sewers and drainage infrastructure were put in place.

Mr. Goodier said the recorded lots in Plat 3, Lot 275 were merged administratively by the tax assessor, but the land records do not reflect this consolidation. He also described how in 2005 lot 75 was owned by the Town and was to be transferred with the developer in kind for a parcel in the same locus. After the Town gave up lot 75 to the developer it was sold at tax sale in error. Mr. Ericson explained that the owner of lot 75 paid the back taxes and the tax collector at the time did not realize the parcel had been in the Town's possession more than 40 years, which triggers complete title. The developer therefore did not get ownership of lot 75.

Chairman Naylor asked if the applicant will be required to go to the ZBR for relief and Mr. Goodier said there is no need for relief, the lots have frontage on an unimproved right-of-way. Mr. Iglioizzi stated the lot will be less non-conforming but will still not have significant frontage on an approved right-of-way and would need to go before the ZBR.

Mr. Goodier said the applicant will be coming back to the Planning Board with a Master Plan and asking for a recommendation for

dimensional relief from the ZBR. He said that all the lots could be improved by building houses. Chairman Naylor stated that the lot will still be non-conforming. Mr. Iglioizzi said the applicant's engineer should present the 1) dimensional deficiencies, 2) zoning deficiencies and 3) Land Development and Subdivision Regulations deficiencies to the PB, and the burden is on the applicant to present and ask for PB recommendation if need be for a waiver from the LD & SR or zoning dimensional relief from the ZBR.

Mr. Goodier reiterated that there are three lots with no frontage that are pre-existing lots of record, and this plan will make the lots less non-conforming than they are today, with 35 feet of frontage on an improved right-of-way.

Dr. Benoit stated that he was on the Planning Board in 2005 and raised the issue of property trade-offs and combining town lots to double the lot size. He would like to see identification of all owners of lots on the plan. Dr. Benoit would like to see documentation of where the lots were combined.

Dr. Benoit also wanted to know if Thomas Street has sewers and is paved. Mr. Goodier said there are sewers on Thomas Street but it is not paved. Dr. Benoit asked if the street should have been paved when the sewers were put in. Mr. Goodier said this is not part of this application. Ms. Finnegan asked if the paving should have been part of Phase I. Mr. Goodier said the bond to improve that road was

released, and if Thomas Street was supposed to have been paved, the bond would not have been released.

Mr. Ericson said the issue is that the site should have been returned to vegetation after the sewer was put in.

Dr. Benoit wanted to know the history of the streets, Thomas, Keogh and Smith Street. Mr. Goodier said the plan creation goes back to 1922. Dr. Benoit said he is against country drainage on Graves Avenue. Mr. Goodier said the infrastructure is already there and thinks it should be tied in with existing stormwater infrastructure from Phase I.

Dr. Benoit said that because of the issues with this project, he would like the PB to see that the as-built plans conform to the approved plan.

Mr. Lentz asked if there are existing sewer lines on the abandoned streets. Mr. Goodier said yes, they were installed during Phase I. He said there are sewers on Graves Avenue, a street that is not abandoned, and the applicant is proposing a 20-foot-wide utility easements on Thomas Street and one of the lots.

Mr. Ericson said the question is whether Graves Avenue is a 26 foot road or a 24 foot road built to town specification. Mr. Goodier said the applicant has not met with fire and police to receive a

recommendation on the width of Graves Avenue.

Chairman Naylor spoke about the fact that Planning Board standards have to be met and the roads have to be the correct width. The PB will determine if the LD&SR have been met. Mr. Palardy asked about if the roads have been abandoned. Mr. Goodier said it is in the TC minutes but not in the land evidence records because it was never recorded. Chairman Naylor would like to see the TC minutes when these streets were abandoned.

Mr. Ericson said these abandonments were not done correctly, and there was no abandonment ordinance. Chairman Naylor would like a legal opinion from the solicitor on whether these roads were abandoned and how the PB should proceed. Dr. Benoit asked if the approved plans are on file. Mr. Goodier told the Planning Board that he can get the previous Phase II approved plans that are on file.

Mr. Ericson pointed out that the application was mislabeled with Master Plan instead of Pre-Application and the applicant's name was not printed.

Chairman Naylor stated that he believed the Proposed Conditions plan was busy and difficult to read. Mr. Nyberg said the applicant wanted to show information from Phase II. Mr. Ericson said those items could be left off the Proposed Conditions Plan because they are on the Existing Conditions Plan.

Chairman Naylor reviewed the next steps and suggested the Board go on a site visit. Mr. Goodier agreed this would be beneficial to the Board.

Dr. Benoit asked if these lots will have wells. Mr. Goodier said all the houses in that area have wells.

6. Minor Subdivision Preliminary Plan: John Michael O'Hearne Subdivision

Applicant: John Michael O'Hearne Location: Hanton Rd.

Assessor's Plat 12 Lot 126

Zoning: Split: RU (Urban Residential) and RRC (Rural Residential Conservation)

Mr. Ericson informed the PB that the applicant is going to have to decide whether to go with septic or sewer, and the PB will have to make the decision conditional.

Mark Darveau, the surveyor for this project, spoke first to the PB. He described the location of the property, the frontage on Hanton Road of 566 feet, the 11.5 acre size, and the REA & RA zoning. Mr. Darveau said there are 2 power line easements, one 250 feet wide and the other that skirts the property. There is also a gas line through the 250-foot wide easement. He said there are 5.5 acres of usable land south of the 250-foot-wide easement, and this is where the

development will be built.

Mr. Darveau went on to say the applicant is proposing four new 22,000-29,000 foot lots, and there is a small part of wetlands greater than 250 feet away from the site. He said there is sufficient size to put a 70-foot-wide house on each lot. Other characteristics of the site described by Mr. Darveau included:

- o It is mostly wooded with rolling topography.**
- o Subsurface drainage will be designed to meet roof runoff and driveway requirements. The longest proposed driveway was used to determine swale size.**
- o All houses in the area have wells.**
- o Preliminary testing on soil indicated it is conducive to an in-ground septic system. RIDEM will be doing soil testing on July 29.**
- o There is a sewer line on Fairview Avenue and a manhole 8 foot down that would require a roadway for access. The applicant is not supportive of adding a roadway or paying the sewer fee per lot. The slope of the pipe would also be an issue to be resolved. This will be addressed after soil testing.**

Mr. Palardy asked if the soil testing does not go well, will the applicant explore the sewer option. Mr. Darveau said some testing has already been done and septic has been discussed with the Sewer Commission and approved conceptually.

Dr. Benoit asked if there was a significant amount of ledge. Mr.

Darveau said the areas around the site are not constrained by ledge, and it is suitable for moving forward.

Mr. Ericson specified an issue with Lot 1 having angles over 225 degrees over a 20 feet. He said if the applicant requires a waiver for the angles, the Plan becomes a major subdivision. He thinks the 200-degree angle could be attained and resolved for the Final Plan without becoming a major subdivision. Mr. Darveau agreed there is a way to meet this requirement. Mr. Ericson said the conditions will be:

Provide septic approval or sewer Commission approval

Resolve angle issue so that it meets the stipulation of no more than 225 degree over 20 feet.

Mr. Palardy made a motion to approve the Minor Subdivision Preliminary Plan: John Michael O'Hearne Subdivision, Applicant: John Michael O'Hearne, Location: Hanton Rd., Assessor's Plat 12 Lot 126

Zoning: Split: RU (Urban Residential) and RRC (Rural Residential Conservation) with the following conditions:

- 1. The applicant will provide the PB either RIDEM septic approval for each lot or Sewer Commission approval for sewer tie-in**
- 2. The applicant will resolve angle issue so that it meets the stipulation of no more than a 225 degree angle over 20 feet length.**

Mr. Lentz seconded.

The PB went through the 5 tests for subdivision approval:

1. Is the proposed development consistent with the Comprehensive Plan?

Yes, there will be different types of housing.

2. Does the proposed development comply with the NS Zoning Ordinance?

No zoning variances or special use permits are being applied for.

3. Are there any significant environmental impacts from the proposed development?

No significant environmental impacts.

4. Will the subdivision result in the creation of individual lots with any physical constraints to development?

There will be no creation of lots with physical constraints.

5. Will the subdivision lots or proposed land development have adequate and permanent physical access to a public street?

There will be access to a public street, Hanton Rd.

Roll call vote: Yes: Chairman Naylor, Mr. Lentz, Mr. Palardy, Ms. Finnegan and Dr. Benoit. No: None. Motion passed 5-0.

7. Proposed Zoning Ordinance Amendments for review:

Section 5.4.9 Service Industries (reconsideration)

Section 5.7 Ground-mounted Solar Photovoltaic Installations

Section 6.13 Parking and Storage of Certain Vehicles

Section 6.14 Parking, Storage or Use of Major Recreational Equipment

Mr. Ericson reminded the PB that at the last meeting they found the Use Table (5.4.9) inconsistent with the Comprehensive Plan because it failed to provide protection for farmland. He said that Chairman Naylor asked that changes be proposed to make the Use Tables consistent with the Comp Plan.

Chairman Naylor made a motion to revisit Zoning Ordinance Use Table 5.4.9 Service Industries for the purpose of outlining what changes could be made to make it consistent with the Comprehensive Plan. Mr. Palardy seconded with all in favor.

Chairman Naylor made a motion to consider 5.4.9 and 5.7 jointly as they are related documents. Mr. Palardy seconded with all in favor.

Chairman Naylor suggested that Ground Mounted Solar should be split into Commercial and Residential Use on two different rows.

Discussion ensued.

Chairman Naylor motioned to extend the PB meeting for 15 minutes.

Mr. Lentz seconded with all in favor.

Mr. Lentz said he believes this is something that needs to be completed at this meeting. Chairman Naylor asked the solicitor if there is a problem to not resolving this issue at this meeting. Mr. Igliozi said there is a general consensus that without an ordinance, current rules would apply and people could install ground-mounted solar wherever they want.

Dr. Benoit suggested the resident in the audience be given a chance to speak before the meeting is over. The resident did not wish to speak.

Mr. Igliozi suggested an alternative could be modifying the Comprehensive Plan.

Mr. Palardy said he thinks more time is needed to review this issue.

Chairman Naylor acknowledged Mr. Ezovski in the audience. Mr. Ezovski said he believes these issues take time. He said he is concerned with excessive regulation. He explained his views on solar power and gave examples of other towns using solar. He reiterated that these issues take time and consideration and encouraged the PB to think about this.

Mr. Lentz suggested sending a message to the TC that the PB is

working on this.

Ms. Finnegan made a motion to continue the discussion of Proposed Zoning Ordinance Amendments for review to the next meeting. Dr. Benoit seconded with all in favor.

The next PB meeting will be July 7, 2016.

Dr. Benoit made a motion to adjourn and Mr. Palardy seconded with all in favor. (10:16 PM)

Submitted by Bobbi Moneghan on June 29, 2016

Approved by the Planning Board on August 4, 2016